



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5-390
Regulation title	Rules and Regulations for the Enforcement of the Virginia Seed Law
Action title	Changing Title 3.1 references to Title 3.2 as a result of the recodification of Title 3.1
Final agency action date	December 4, 2008
Document preparation date	January 6, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The recodification of Title 3.1, which became effective October 1, 2008, makes it necessary to update any Title 3.1 reference in the regulation with the new Title 3.2.

This regulatory action will make the following changes:

Section 20 - Delete the reference to Article 1 (§ 3.1-262 et seq.) of Chapter 16 of Title 3.1 of the Code of Virginia and replace it with Chapter 40 (§ 3.2-4000 et seq.) of Title 3.2 of the Code of Virginia. Delete the reference to § 3.1-264 (I) (5) and replace it with § 3.2-4008 (J) (5).

Section 30 - Delete the reference to Chapter 35 (§ 3.1-919 et seq.) of Title 3.1 of the Code of Virginia and replace it with Chapter 56 (§ 3.2-5600 et seq.) of Title 3.2 of the Code of Virginia.

Section 40 - Delete the reference to § 3.1-263 of the Code of Virginia and replace it with § 3.2-4000 of the Code of Virginia.

Section 60 - Delete the reference to § 3.1-265 of the Code of Virginia and replace it with § 3.2-4015 of the Code of Virginia.

Section 70 - Delete the reference to § 3.1-264 of the Code of Virginia and replace it with § 3.2-4008 of the Code of Virginia.

Section 80 - Delete the reference to Article 2, Chapter 16, Title 3.1 of the Code of Virginia and replace it with Chapter 40, Title 3.2 of the Code of Virginia.

Section 100 - Delete the reference to §§ 3.1-264(B)(4) and § 3.1-266 of the Code of Virginia and replace them with § 3.2-4008 and § 3.2-4006, respectively.

Section 110 - Delete the reference to §§ 3.1-263 and § 3.1-264 of the Code of Virginia and replace them with § 3.2-4000 and § 3.2-4008, respectively.

Section 120 - Delete the reference to § 3.1-264 of the Code of Virginia and replace it with § 3.2-4008 of the Code of Virginia.

Section 160, 170 and 180 - Delete the reference to § 3.1-263 of the Code of Virginia and replace it with § 3.2-4000 of the Code of Virginia.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On December 4, 2008, the Board of Agriculture and Consumer Services approved the change to 2VAC5-390, Rules and Regulations for the Enforcement of the Virginia Seed Law.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.